

February 10, 2003, since February 8, 2003 falls on a Saturday. Applicant respectfully requests consideration of the following amendments and remarks.

### IN THE CLAIMS

Please amend claims 105, 106, 110 and 111 to read as follows:

B<sup>1</sup> 105. (Amended) The method of claim 102, wherein the soluble form of the ztnf4 receptor comprises multimeric proteins comprising one or more fusion proteins.

106. (Amended) The method of claim 105, wherein the soluble form of the ztnf4 receptor comprises dimeric proteins comprising one or more fusion proteins.

110. (Amended) The method of claim 107, wherein the soluble form of the ztnf4 receptor comprises multimeric proteins comprising one or more fusion proteins.

B<sup>2</sup> 111. (Amended) The method of claim 110, wherein the soluble form of the ztnf4 receptor comprises dimeric proteins comprising one or more fusion proteins.

### REMARKS

Reconsideration in view of the above amendments and following remarks is respectfully requested. Claims 89 and 102-111 are currently under examination in the present application.

#### A. Rejections Addressed from August 8, 2002 Office Action (OA)

##### (1) Provisional Rejection of Claims 89 and 102-111 for Double Patenting

Claims 89 and 102-111 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over Claims 64-96 of copending Application No. 09/569,245. This rejection is respectfully traversed.

As a preliminary matter, it must be noted that the disclosure of Application No. 09/569,245 may not be used as prior art when considering whether the invention defined in a claim of the present application is an obvious variation of the invention defined in Application No. 09/569,245. [See, MPEP Section 804(II)(B)] In Application No. 09/569,245, all pending claims are either directly or indirectly dependent on Claim 73, which is directed to methods "of